

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ishida Hiroyuki Art Unit : 2875
Serial No.: 10/771,022 Examiner : Ali Alavi
Filed : February 3, 2004 Confirmation No.: 3520
Title : VEHICULAR HEADLAMP AND OPTICAL UNIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

The owner, Koito Manufacturing Co., Ltd, of a 100% interest in the instant application (assignment recorded at Reel 014963, Frame 0575), except as provided below, disclaims the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 – 156 and 173 as shortened by any terminal disclaimer of co-pending Application No. 10/769,056. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on co-pending Application No. 10/769,056 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, and/or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of co-pending Application No. 10/769,056, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR

1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please apply any charges not covered or any credits to Deposit Account No. 50-0591 (Reference Number 02008.143001).

The undersigned is an attorney of record.

Respectfully submitted,

Date: 5/6/05


Thomas K. Scherer, Reg. No. 45,079
OSHA • Liang LLP
1221 McKinney Street, Suite 2800
Houston, TX 77010
Telephone: (713) 228-8600
Facsimile: (713) 228-8778

114636_1